

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 20277
	:	
Takashi FUKUDA	:	Confirmation Number: 2751
	:	
Application No.: 10/520,082	:	Tech Center Art Unit: 1795
	:	
Filed: January 05, 2005	:	Examiner: Robert W. Hodge
	:	
For: FUEL CELL POWER PLANT	:	

**NOTICE OF APPEAL**  
**FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 3, 2009 of the Primary Examiner finally rejecting claims 1-14.

Appeal Fee: \$540.00

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Not required (fee paid in prior appeal in this application).

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Charge to Deposit Account No. 500417.

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Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Bernard P. Codd

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**Date: July 2, 2009**

**Please recognize our Customer No. 20277  
as our correspondence address.**